

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

FLORENCIO HIPOLITO RIVERA,	:	
<i>et al.</i> ,	:	
	:	
Plaintiffs,	:	CASE NO.: 1:17-CV-100 (WLS)
	:	
v.	:	
	:	
JAVIER GUERRERO, <i>et al.</i> ,	:	
	:	
Defendant.	:	
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**ORDER**

Plaintiffs bring this action alleging violations of the Fair Labor Standards Act and breaches of contract under Georgia law. (Doc. 1 at 1.) On October 18, 2017, Plaintiffs moved for approval of a settlement agreement with Defendant Javier Guerrero, and on October 24, 2017, they moved for approval of a settlement agreement with Defendants Jacob W. Paulk, Jr. and Gary H. Paulk. (Docs. 21; 24.) The Court found the agreements fair and approved them on November 1, 2017. (Doc. 25.)

As part of the settlement agreements, Plaintiffs agreed to “execute a Stipulation of Dismissal with prejudice which shall be filed with the Court upon the payment of the Settlement Funds . . .” (Doc. 21-1 at 5.) Plaintiffs received the settlement payments from the Paulk Defendants on November 14, 2017. (Doc. 27 at 2.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs then circulated a stipulation of dismissal to all parties asking for their consent for a voluntary dismissal. (Doc. 27 at 2.) Defendant Guerrero has yet to sign the stipulation. (*Id.*) Plaintiffs therefore request that the Court dismiss the Paulk Defendants from this action pursuant to Rule 41(a)(2). (*Id.*)

For good cause shown, the Amended Joint Motion for Voluntary Dismissal (Doc. 27) is hereby **GRANTED**. The claims against Defendants Jacob W. Paulk, Jr. and Gary H.

Paulk are **DISMISSED WITH PREJUDICE** pursuant to the Parties' request and the settlement agreement.

**SO ORDERED**, this 19th day of December, 2017.

/s/ W. Louis Sands

**W. LOUIS SANDS, SR. JUDGE**  
**UNITED STATES DISTRICT COURT**